REMARKS

Claims 1, 2, 16 and 26-28 are pending in the current application. Applicants have amended claim 1 to more particularly point out and distinctly claim the subject matter that Applicants regard as their invention. Specifically, Applicants have further defined the linking region to be a <u>non-amino acid</u> linking region selected from a specific group of compounds. Support for the amendment to claim 1 may be found in the Specification on page 15, lines 1-25. Applicants assert that the addition of specific non-amino acid linking compounds to claim 1 does not constitute the addition of new matter, and as such does not require further searching on the part of the Examiner. Indeed, the specific linking compounds have already been considered in the Office Action mailed September 9, 2003. This Office Action indicates that Applicants' amendment after final was never entered and as a result Applicants' amendment filed January 24, 2003 was considered therein. Applicants point out that the amendment filed January 24, 2003 included claims with the same non-amino acid linkers that have been presently included in claim 1.

Rejection under 35 USC § 102(a) over Sakka

The Office Action states that claim 1 is rejected under 35 USC § 102(a) as being anticipated by Sakka et al. (Ann NY Acad. Sci., Dec 1998, Vol. 864:485-488). The Office Action acknowledges that Applicants have made a claim for priority based upon US 98/08857 filed in the PCT on January 5, 1998, which was before the Sakka et al. publication. Applicants have submitted herewith a certified copy of the priority document as required by 35 U.S.C. 119(b). Consequently, Applicants respectfully request withdrawal of the § 102(a) rejection of claim 1.

Rejection under 35 USC § 103(a) over Schulein or Gilkes and Goldstein

The Office Action asserts that Claims 1, 2, 16, 21, 26-28 are obvious and therefore unpatentable over Schulein, or Gilkes and Goldstein. According to MPEP § 2143.03, "[t]o establish *prima facie* obviousness of a claimed invention, <u>all the claim limitations must be taught or suggested by the prior art</u>." Applicants submit that neither Schulein, Gilkes nor Goldstein teach or suggest all of the limitations of newly amended Claim 1, or the balance of the claims which depend or ultimately depend therefrom. Specifically, the aforementioned references do not teach or suggest the use of non-amino acid linkers in general, much less the use of the specific non-amino acid linkers as required in presently amended claim 1. As a result, Applicants respectfully request withdrawal of the § 102(a) rejection of claim 1 and the balance of the pending claims.

Double Patenting

The Office Action asserts a Double Patenting Rejection of the present application in light of specific claims contained in commonly assigned Patents: US 6,410,498 B1, US 6,468,955 B1 or US 6,465,410 B1. Applicants have submitted a Terminal Disclaimer herewith in order to overcome this rejection.
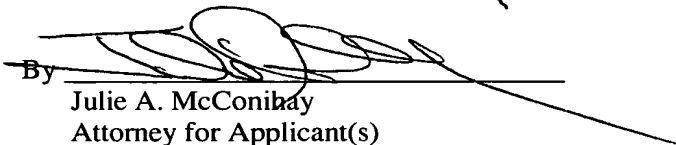
CONCLUSION

Applicants have made an earnest effort to place the present claims in condition for allowance. WHEREFORE, entry of the amendments provided herewith, reconsideration of the claims as amended in light of the Remarks provided, withdrawal of the claims rejections, and allowance of claims 1, 2, 16 and 26-28, as amended, are respectfully requested. In the event that issues remain prior to allowance of the noted claims, then the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

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